

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

ROOSEVELT PARKER,

PLAINTIFF

v.

CAUSE No. 2:22-CV-45-HSO-BWR

STATE FARM FIRE AND
CASUALTY COMPANY

DEFENDANT

DEPOSITION OF TOMMY J. TOMPKINS, JR.

Taken at the offices of Bryan, Nelson,
Schroeder, Castigliola & Banahan, PLLC,
1103 Jackson Avenue Pascagoula ,
Mississippi, on Wednesday, January 25th,
2023, beginning at 2:00 p.m.

APPEARANCES:

LINDSEY TOPP, ESQUIRE (Via Zoom)
Hair Shunnarah Trial Attorneys
2540 South I-10 Service Road West
Suite 300
Metairie, Louisiana 70001

ATTORNEY FOR PLAINTIFF

H. BENJAMIN MULLEN, ESQUIRE
MICHAEL R. MOORE, ESQUIRE (Via Zoom)
Bryan, Nelson, Schroeder,
Castigliola & Banahan, PLLC
1103 Jackson Avenue
Pascagoula, Mississippi 39568

ATTORNEYS FOR DEFENDANT

1 our production.

2 - - -

3 (Exhibit 2 was marked.)

4 MR. MULLEN:

5 Q. All right. I'm going to show you this
6 Exhibit 2, Mr. Tompkins, and you can take a moment
7 to read it, if you would like, and I welcome you
8 to do that before I start asking you a couple of
9 questions about it. You probably have not seen
10 that before?

11 A. (Reviews document.)

12 Q. Have you seen Exhibit 2 before today?

13 A. I have not.

14 Q. All right. I want you to take a look
15 down there. There's a section in that letter.
16 It's a letter from of Hair Shunnarah, and it was
17 sent to an employee of State Farm named Tito
18 Garcia, G-a-r-c-i-a. It was sent by Lindsey Topp,
19 who is with us today.

20 And there is a section that says the
21 property damages, and underneath there it says,
22 This office -- meaning the law office -- has
23 arranged for the property to be thoroughly
24 inspected. And we're talking about the property
25 of Roosevelt Parker according to the part at the

1 top where it says, my client, Roosevelt. It says,
2 On or about August 4th, 2021, Roosevelt Parker
3 contracted a public adjuster Tommy Tompkins of ATA
4 Loss Consulting, LLC to inspect the property and
5 value the related damages.

6 Mr. Tompkins discovered extensive damage
7 to the property caused by the windstorm.

8 Mr. Tompkins documented \$141,178.64 in damages to
9 the dwelling and \$604.11 in damages to the
10 structures. There were additional damages
11 sustained to Mr. Parker's personal property, which
12 we intend to submit at a later date.

13 So let me ask you, first of all, on
14 August 4th 2021, did Roosevelt Parker contract
15 with you to inspect his property and value his
16 related damages, to your knowledge?

17 A. No.

18 Q. Are you a public adjuster?

19 A. No.

20 Q. And further on that, did you discover
21 extensive damage to the property caused by
22 windstorm to Roosevelt Parker's property?

23 A. No.

24 Q. And did you document \$141,178,64 in
25 damages to Mr. Parker's dwelling and \$604.11 to

1 damages to other structures on Mr. Parker's
2 property?

3 A. No.

4 Q. Okay. Thank you, sir.

5 MR. OGDEN:

6 Mr. Mullen, is there any way I might
7 have a copy of that letter?

8 MR. MULLEN:

9 Certainly.

10 MR. OGDEN:

11 Thank you.

12 MR. MULLEN:

13 Q. Do you know an individual by the name of
14 Scott Berberich?

15 A. Yes.

16 Q. How do you know Mr. Berberich?

17 A. Mr. Berberich was a colleague in the
18 National Flood Insurance world. He is a fellow
19 flood adjuster.

20 Q. How long have you know -- is it
21 Berberich. Am I saying that wrong?

22 A. Berberich.

23 Q. Berberich. And how long have you known
24 Mr. Berberich?

25 A. Probably since 2016 or 2017. I don't